

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND**

IN RE:

Shannon Terrell

Debtor

Address:

**6004 Yeagertown Road
New Market, MD 21774**

Social Security No:

xxx-xx-9332

Case No.: 17-13588-WIL

Chapter 13

MOTION TO MODIFY CHAPTER 13 PLAN

Debtor, Shannon Terrell, through her attorney, Katherine J. Jones of Maryland Legal Aid, files this Motion to Modify Chapter 13 Plan as permitted by *In Re McClam*, 2009 Bankr. LEXIS 2857 (Bankr. D. Md., August 12, 2009) and 11 U.S.C. § 1329(c).. In support of this Motion, Debtor states as follows:

1. Ms. Terrell's Confirmed Chapter 13 Plan provides that she pays \$ 494.89 per month for 60 months for a total funding of \$29,693.40. This plan was confirmed on December 15, 2017.
2. Since Plan confirmation, substantial and unanticipated changes have occurred.
3. On July 9, 2018, Ms. Terrell's mortgage company, PNC Bank, N.A., filed a Motion to Lift Stay claiming post-petition arrears in the amount of \$14,163.38. The parties entered into a Consent Order, which this Court signed on October 3, 2018, requiring

Ms. Terrell to modify her Chapter 13 Plan to pay these post-petition arrears. See Consent Order attached as Exhibit A.

4. Ms. Terrell also asserts that this change in his Chapter 13 Plan will have little effect on the amount distributed to unsecured, non-priority creditors in her Chapter 13 Plan.

5. Ms. Terrell would suffer undue harm if she is not permitted to modify her Chapter 13 Plan and if she is not permitted to successfully complete a Chapter 13 Plan.

PROPOSED MODIFIED PLAN

For the reasons stated above, the Debtor proposes the following modified Plan:

1. That all of the terms and conditions in the confirmed Chapter 13 Plan are incorporated and shall remain in full force and effect, except that the amount of arrears on the Debtor's first mortgage with PNC Bank, N.A. to be paid inside of the Debtor's Chapter 13 Plan will be increased from \$24,819.53 to \$38,982.91.

2. That the Debtor's monthly payment will increase in Month 19 to \$728.00 for the remaining months, and the time that the Debtor will be in the Chapter 13 Plan will be extended to 68 months.

3. This represents a \$15,615.02 increase in gross funding.

4. The proposed modified Chapter 13 Plan is attached with this Motion as Exhibit B.

WHEREFORE, the Debtor requests that this Court modify the Chapter 13 Plan in the manner stated.

/s/Katherine J. Jones
Katherine J. Jones

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